



# Trail News

February 4, 2016

From the

## Meeteetse Conservation District

P.O. Box 237 • 1906 State Street • Meeteetse, WY 82433  
307-868-2484 • Fax 307-868-2489 • [mcd@tctwest.net](mailto:mcd@tctwest.net) • [www.meeteetsecd-wy.gov](http://www.meeteetsecd-wy.gov)

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### **Wyoming Lawyer Defends Property Rights in Trespassing Case Against WWP**

**Buffalo** – Karen Budd-Falen, senior partner at Budd-Falen Law Offices, LLC, currently represents 15 ranchers in a case against Western Watersheds Project (WWP), defending the private property rights of the landowners. “WWP trespassed across private land to collect water quality data to prove there was excess *E. coli* in the streams,” Budd-Falen explained in Buffalo on Jan. 23 at the Johnson County CattleWomen’s annual Agricultural Summit.

#### ***Data collection***

WWP claims they were collecting data as part of the public necessity to avert an imminent public disaster caused by the risk of *E. coli* in the streams, but Budd-Falen believes the data collection is a strategy to eliminate livestock grazing rights. As the case continues, Budd-Falen will argue that certain actions from WWP do not support their claims about working for the good of the public. She will also argue that data was not collected properly and is therefore not valid. “The Department of Environmental Quality ultimately rejected the data because Jonathan Ratner with WWP didn’t even collect the water samples correctly,” she remarked. Making her case, she explained that using trespassing and improper scientific procedure to collect data indicates the malicious intent of the organization.



#### ***Property rights***

“The attorneys for WWP said that property rights of those who are ‘abusing the environment’ should be diminished,” Budd-Falen noted. “I’m certainly not advocating that we should go out and do anything bad on our property, but the truth is, it’s our property.” She stated that property rights are at stake in this case and that extreme activist groups are using tactics to undermine ranchers and their way of life. “We have a right as property owners to say who goes on our property and who doesn’t. We can say yes to everyone in the world and still say no to WWP,” she stated.

#### ***Data trespass law***

The case is also related to recent legislation passed by the Wyoming Legislature, known as the Data Trespass Law. “What this law says is, if someone goes onto private property or crosses private property to collect data and gives it to a federal agency, if it can be proven the data was collected illegally, the agency has to give back the data,” she explained. Because data submitted to a federal agency is kept on file, Budd-Falen is concerned that the information could harm landowners at a later date, even if it was originally gathered illegally or improperly. “Our argument is, not only is our land a property right but the data collected from it is ours as well,” she commented.

#### ***Upcoming trial***

In April, Budd-Falen will be defending the property rights of the 15 ranchers in her trespassing case, presenting her arguments to a jury. “Education is so critical,” she stated. “WWP is going to use scare tactics and say it is okay to trespass because public health is important.” Encouraging people to attend the hearing, she noted that she hopes to have support for agriculture and landowners in the courtroom. “It’s going to be an incredibly interesting case,” she said.

*Natasha Wheeler is editor of the Wyoming Livestock Roundup and can be contacted at [natasha@wylr.net](mailto:natasha@wylr.net).*

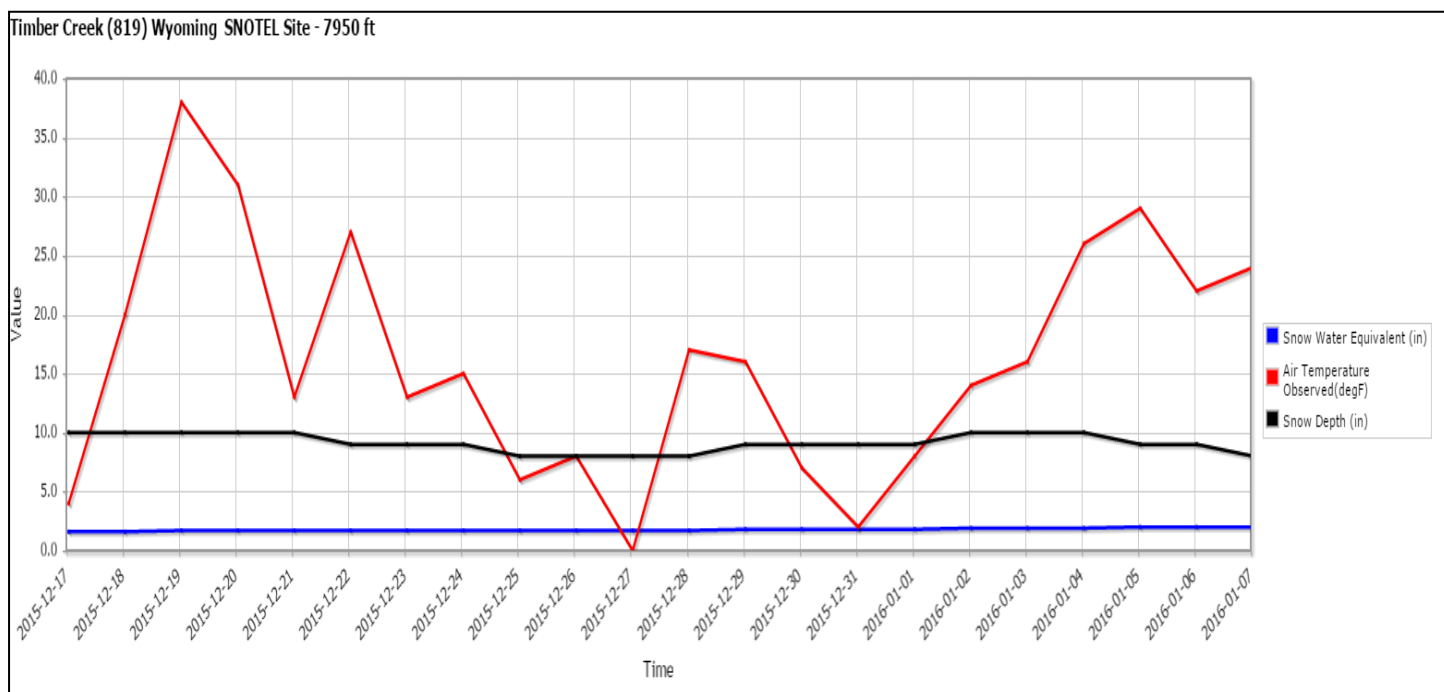
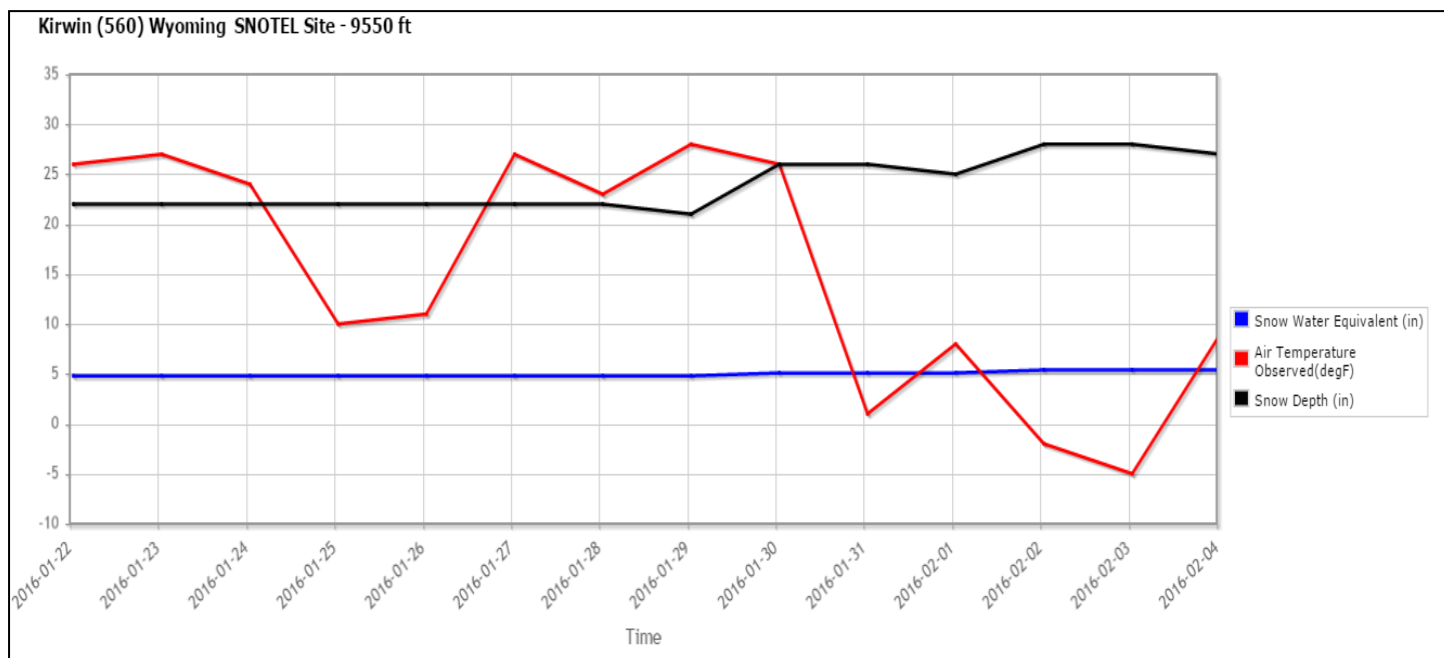
## Wyoming – NRCS

### Report #13

### Monday Morning Snow Report

Feb. 1<sup>st</sup>, 2016

Good morning everyone. This is the 13<sup>th</sup> Monday Snow Report for the 2015-2016 snow season. Last year at this time the state median was 94% with a low of 68% and a high of 120%. This year the state median is 87% with a low of 49% and a high of 107% of median. For those of you with INTERNET capability, this report and map showing SWE percentages for the state can be found at [www.wrds.uwyo.edu/wrds/nrcs/nrcs.html](http://www.wrds.uwyo.edu/wrds/nrcs/nrcs.html). For the median, go to [www.wcc.nrcs.usda.gov/normals/median\\_average.htm](http://www.wcc.nrcs.usda.gov/normals/median_average.htm).



### -----Reminders and Updates-----

March 14<sup>th</sup> ~ **3:00p.m.** – MCD Regular Board Meeting, 1906 State Street, Meeteetse.  
The public is welcome.

Happy Trails to You! *Bernie, Ginny, Nolan & Steffen*